

interest of any common school district schoolhouse bonds that may have heretofore been issued by Common School District No. 1, and remaining unpaid; conferring upon the board of county trustees the power to subdivide said district, and declaring an emergency."

H. B. No. 553, A bill to be entitled "An Act to amend Article 7305 of the Revised Civil Statutes of 1911, relating to the inspection of hides and animals, so as to include among the counties exempted from the provisions of Articles 7256 to 7304, inclusive, the counties of Coke, Irion, Reagan, Sterling, Tom Green and Upton."

H. B. No. 300, A bill to be entitled "An Act to increase the authority and duties of the commissioners court of Calhoun county, Texas, and of the county commissioners of said county; to require said county commissioners to devote their entire time and attention to the affairs of said county and to fix the salary for the members of said commissioners court, and repealing all laws, general and special, in conflict with the provisions of this act, and declaring an emergency."

H. B. No. 512, A bill to be entitled "An Act to create the office of county road supervisor for Mills county, and prescribing the method for his appointment, duties and salary, and declaring an emergency."

H. B. No. 563, A bill to be entitled "An Act to diminish the civil and criminal jurisdiction of the county court of Real county; to conform the jurisdiction of the district court thereto, and to repeal all laws in conflict therewith, and declaring an emergency."

H. B. No. 440, A bill to be entitled "An Act to amend Section 1 of Chapter 11 of the Special Laws of Texas, passed by the First Called Session of the Thirty-fourth Legislature, approved June 4, 1915, being 'An Act incorporating and creating the Fulbright Independent School District in Red River county, Texas, for free school purposes only,' etc., and declaring an emergency."

H. B. No. 409, A bill to be entitled "An Act to amend Article 3883 of the Revised Civil Statutes of the State of Texas of 1911, relating to fees of county officers."

H. B. No. 596, A bill to be entitled "An Act creating the Maydelle Independent School District in Cherokee county, Texas, etc., and declaring an emergency."

H. B. No. 550, A bill to be entitled "An Act to create a more efficient road system for Caldwell county; providing for the employment of a county road superintendent, etc., and declaring an emergency,"

And find them correctly engrossed.

RUSSELL, Vice-Chairman.

TWENTY-SIXTH DAY.

(Monday, February 12, 1917.)

The House met at 10 o'clock a. m., pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Bagby.	Hartman.
Baker.	Hawkins.
Beard of Harris.	Hill.
Beard of Milam.	Hudspeth.
Beasley.	Johnson.
Beason.	Laas.
Bedell.	Lacey.
Bell.	Laney.
Bertram.	Lange.
Blackburn.	Lanier.
Blackmon.	Lee.
Blalock.	Lindemann.
Bland.	Lowe
Bledsoe.	of McMullen.
Boner.	Low
Brown.	of Washington.
Bryan.	McComb.
Bryant.	McCoy.
Burton of Rusk.	McDowra.
Burton of Tarrant.	McMillin.
Butler.	Meador.
Cadenhead.	Mendell.
Canales.	Metcalf.
Carlock.	Miller of Dallas.
Clark.	Monday.
Cope.	Moore.
Cox.	Morris.
Crudgington.	Murrell.
Davis of Dallas.	Neeley.
Davis of Grimes.	Neill.
Davis	Nichols.
of Van Zandt.	Nordhaus.
De Bogory.	O'Banion.
Denton.	O'Brien.
Dodd.	Osborne.
Dudley.	Parks.
Dunnam.	Peddy.
Estes.	Peyton.
Fairchild.	Pillow.
Fisher.	Poage.
Fitzpatrick.	Reeves.
Florer.	Richards.
Greenwood.	Robertson.
Haidusek.	Roemer.
Hardey.	Rogers.
Harris.	Russell.

Sackett.	Tillotson.
Sallas.	Tilson.
Sentell.	Tinner.
Schlosshan.	Trayler.
Seawright.	Tschoepe.
Smith of Hopkins.	Upchurch.
Smith of Scurry.	Valentine.
Spencer of Nolan.	Veatch.
Spencer of Wise.	Walker.
Spradley.	White.
Swope.	Williams
Taylor.	of Brazoria.
Templeton.	Williams.
Terrell.	of McLennan.
Thomason	Williford.
of Nacogdoches.	Wilson.
Thompson	Woods.
of Hunt.	Woodul.
Thompson	Yantis.
of Red River.	

Absent.

Cates.	Strayhorn.
Smith of Bastrop.	Thomas.

Absent—Excused.

Fly.	Schlesinger.
Holland.	Scholl.
Jones.	Sholars.
McFarland.	Stewart.
Martin.	Thomason
Miller of Austin.	of El Paso.
Pope.	Wahrmund.
Raiden.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Pope, for last Saturday and today, on motion of Mr. Bledsoe.

Mr. McFarland, for today and tomorrow, on motion of Mr. Tillotson.

Mr. Scholl, for today, on motion of Mr. Hartman.

Mr. Poage, for last Saturday, on motion of Mr. Neeley.

Mr. Jones, for last Saturday and today, on motion of Mr. Dodd.

Mr. Fly, for today, on motion of Mr. Bryan.

Mr. Martin, for today, on motion of Mr. O'Banion.

The following member was granted leave of absence on account of sickness:

Mr. Miller of Austin, indefinitely, on motion of Mr. Tillotson.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Peyton:

H. B. No. 647, A bill to be entitled "An Act making appropriations to pay salaries of judges, and for the support of the judicial department of the State government for two years, beginning September 1, 1917, and ending August 31, 1919, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Valentine and Mr. Carlock:

H. B. No. 648, A bill to be entitled "An Act to amend Article 3309, Chapter 8, Title 52, Revised Civil Statutes of 1911, providing for the execution of bonds of executors and administrators, and giving to the county judges discretion to fix the amount of such bonds in certain cases, and to authorize the payment of the commission or expense of making such bonds a charge against the estate."

Referred to Committee on Reforms in Civil Procedure.

By Mr. Denton:

H. B. No. 649, A bill to be entitled "An Act prescribing the number and character of lamps to be carried by automobiles, motor vehicles and motorcycles during certain hours and to prohibit the use of glaring and dazzling headlights upon automobiles, motor vehicles and motorcycles in use upon the public highways of this State, and providing a penalty for the violation thereof, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Low of Washington:

H. B. No. 650, A bill to be entitled "An Act to amend Articles 2827, 2828, 2829, 2833, 2836, 2837, 2838, 2839 and 2841 so as to provide that the county board of education shall have power to levy a special tax for school maintenance purposes; to abrogate, increase or diminish such tax, order elections for the purpose of voting on the issuance of bonds; providing for the holding of such elections and conferring upon the county superintendent certain duties now exercised by the county judge, and declaring an emergency."

Referred to Committee on Education.

By Mr. Laney:

H. B. No. 651, A bill to be entitled "An Act to amend Article 2234 of the Revised Civil Statutes of Texas, relating to the Dallas Criminal District Court, changing said article so that it shall be discretionary with the judge of the Dallas Criminal District Court to empanel a grand jury for said court, instead of it being mandatory; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Johnson:

H. B. No. 652, A bill to be entitled "An Act to create a commission to make a complete educational survey of the State of Texas, including the institutions of higher learning and State departments doing extension work or semi-educational work."

Referred to Committee on Education.

By Mr. Terrell:

H. B. No. 653, A bill to be entitled "An Act to create a special road law for Cherokee county, and providing for levying and collecting a road tax, authorizing the commissioners court of said county to employ road superintendents and laborers on the public roads thereof, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Fairchild:

H. B. No. 654, A bill to be entitled "An Act to create a more efficient road system for Angelina county; creating a highway commission, defining its duties, providing for the qualification and election of the members of the same, etc., and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Baker:

H. B. No. 655, A bill to be entitled "An Act to amend Article 923 of the Penal Code of this State as enacted by Chapter 135 of the Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, so as to exempt therefrom the counties of Hood and Somervell as to the waters of the Brazos river, and as to the waters of Paluxy creek from the first day of July to the first day of January of each year, and providing that gigging and grabbling is and shall be prohibited in both streams at all times, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Burton of Tarrant, Mr. Carroll, Mr. Valentine and Mr. Walker:

H. B. No. 656, A bill to be entitled "An Act to establish at Arlington, Tarrant county, Texas, a junior agricultural, mechanical and industrial college, to be known as the Grubbs Vocational College, making an appropriation therefor, and declaring an emergency."

Referred to Committee on Education.

SENATE BILLS ON FIRST READING.

The following Senate bills were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 13, to the Committee on State Affairs.

Senate bill No. 81, to the Committee on Irrigation.

Senate bill No. 160, to the Committee on Counties.

Senate bill No. 246, to the Committee on Public Lands and Land Office.

Senate bill No. 250, to the Committee on Education.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Laney, it was ordered that House bill No. 621 be not printed.

On motion of Mr. Fairchild, it was ordered that House bill No. 654 be not printed.

On motion of Mr. Fisher, it was ordered that Senate bill No. 243 be not printed.

On motion of Mr. Bledsoe, it was ordered that House bills Nos. 603 and 624 be not printed.

On motion of Mr. Dudley, it was ordered that Senate bill No. 299 be not printed.

On motion of Mr. Canales, it was ordered that House bill No. 622 be not printed.

On motion of Mr. Russell, it was ordered that House bills Nos. 593 and 620 be not printed.

On motion of Mr. Templeton, it was ordered that House bill No. 640 be not printed.

BILL ORDERED PRINTED.

On motion of Mr. O'Banion, it was ordered that House bill No. 44, reported unfavorably, be printed.

Mr. Beard of Harris moved to recon-

sider the vote by which House bill No. 44 was ordered printed.

The motion to reconsider was lost.

MOTION TO RECOMMIT HOUSE BILL NO. 356.

On motion of Mr. Lange, House bill No. 356 was recommitted to the Committee on Insurance.

Mr. Fairchild moved to reconsider the vote by which the bill was recommitted.

The motion to reconsider prevailed.

Question then recurring on the motion to recommit, it was lost.

RELATING TO NEWSPAPER SUBSCRIPTIONS.

Mr. Sentell offered the following resolution:

Whereas, Each member of the House has been permitted to subscribe for five newspapers at the expense of the State; and

Whereas, By this each one has access to ten or more papers through the courtesy of his neighbors; and

Whereas, All of these papers contain more or less of the same news, all these conditions making it unnecessary for this much money to be expended in this way; and

Whereas, This is the close of the first subscription month; therefore, be it

Resolved, That each member hand to the Chief Clerk a list of not more than three papers which shall be his list of subscriptions.

The resolution was read second time and was referred by the Speaker to the Committee on Appropriations.

MOTION TO RECONSIDER VOTE ON HOUSE BILL NO. 354.

Mr. Bryan moved to reconsider the vote by which House bill No. 354 was passed on last Saturday, February 10, and asked to have the motion to reconsider spread upon the Journal.

CONCERNING RELATIONS BETWEEN UNITED STATES AND GERMANY.

The Speaker laid before the House, for consideration at this time, House Concurrent Resolution No. 12, by Mr. Martin, concerning relations between United States and Germany, the resolution having been read on Saturday, February 10, and referred on that day to the Committee on Federal Relations.

Question recurring on the resolution, it was lost.

HOUSE BILL NO. 227 ON SECOND READING.

On motion of Mr. Monday, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 227, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Regular Session of the Thirty-second Legislature, said Chapter 83 being known and published as an act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions from the operation of what is known as the 'Anti-Pass Law,' so as to include among said exemptions the Fire Marshal of the State Fire Insurance Commission and those acting for him while actually engaged in fire prevention work and all city fire marshals while traveling to and from their State and district conventions."

The Speaker laid the bill before the House, and it was read second time.

Mr. Monday offered the following amendment to the bill:

Amend House bill No. 227, page 2, line 4, by inserting after the word "persons" the following: "The Governor, the Lieutenant Governor, members of the Legislature, members of the board of regents and boards of trustees of all State educational institutions of the State of Texas, the collector of internal revenue and his designated traveling deputy collectors."

Amend House bill No. 227, page 2, lines 29 and 30, by striking out the following words: "While traveling to and from their State and district conventions" and insert in lieu thereof "who have also been regularly appointed peace officers."

Amend the caption of House bill No. 227, page 1, line 30, by inserting between the words "exemption" and "the" the following: "The Governor, the Lieutenant Governor, members of the Legislature, members of the board of regents and boards of trustees of all State educational institutions of the State of Texas, the collector of internal revenue and his designated traveling deputy collectors."

Amend the caption of House bill No. 227, lines 32 and 33, by striking out the words "while traveling to and from their State and district conventions" and insert in lieu thereof the following: "Who have also been regularly appointed peace officers."

Signed—Monday, Templeton, Huds-
peth, Haidusek, Hawkins, Estes, Roemer,
Fitzpatrick, Tschoepe, Parks, Schlosshan,
Lange, Metcalfe, Greenwood, Taylor,
Williams of McLennan, Williams of Bra-
zoria, Beasley, Lanier, Beason, Holland,
Carlock, Bryant, De Bogory, Laney, Bell,
Sallas, Wahrmond, Lowe of McMullen,
Reeves, Poage, Fairchild, Dunnam, Swope,
Low of Washington, Canales, Pillow,
Thompson of Red River, Spencer of No-
lan, Bland, Clark, Dudley, Burton of Tar-
rant, Walker, Fisher, Nordhaus, Valen-
tine, Sholars, Richards, Lindemann,
Spradley, Brown, Martin, Yantis, Cates,
Thompson of Hunt, Nichols, Schlesinger,
Wilson, Laas, Cox, Woodul, Hartman,
Bagby, Davis of Grimes, McFarland, Mor-
ris, Harris, Bedell, Miller of Dallas, Hill,
Mendell, Pope, Stewart, Boner, Denton.

Mr. Canales offered the following
amendment to the amendment:

Amend the amendment by adding at
end thereof the following: "Provided,
however, that whenever any member of
the Legislature is given and accepts free
transportation under this act, he shall
not be entitled to charge or collect mile-
age from the State."

Mr. Terrell raised a point of order on
consideration of the amendment to the
amendment on the ground that the mat-
ter of mileage of members of the Legis-
lature is governed by constitutional pro-
visions.

The Speaker sustained the point of
order.

Mr. Spradley moved the previous ques-
tion on the amendment, and the main
question was ordered.

Question then recurring on the amend-
ment, yeas and nays were demanded.

The amendment was adopted by the
following vote:

Yeas—66.

Bagby.	De Bogory.
Baker.	Denton.
Beard of Harris.	Dudley.
Beasley.	Fairchild.
Beason.	Fisher.
Bedell.	Fitzpatrick.
Bell.	Greenwood.
Blackburn.	Haidusek.
Bland.	Hardey.
Bledsoe.	Harris.
Boner.	Hartman.
Brown.	Hawkins.
Bryant.	Hudspeth.
Burton of Tarrant.	Laas.
Canales.	Lange.
Clark.	Lanier.
Cox.	Lindemann.
Davis of Grimes.	

Lowe	Roemer.
of McMullen.	Sallas.
Low	Schlosshan.
of Washington.	Spencer of Nolan.
McComb.	Spradley.
Mendell.	Swope.
Metcalfe.	Taylor.
Miller of Dallas.	Templeton.
Monday.	Thompson
Moore.	of Red River.
Morris.	Tschoepe.
Nichols.	Valentine.
Nordhaus.	Walker.
O'Brien.	Williams
Parks.	of Brazoria.
Pillow.	Williams
Poage.	of McLennan.
Richards.	Woodul.

Nays—53.

Beard of Milam.	Peddy.
Bertram.	Peyton.
Blackmon.	Reeves.
Bryan.	Robertson.
Burton of Rusk.	Rogers.
Butler.	Russell.
Cadenhead.	Sackett.
Cope.	Sentell.
Crudgington.	Seawright.
Davis of Dallas.	Smith of Hopkins.
Davis	Smith of Scurry.
of Van Zandt.	Spencer of Wise.
Dodd.	Terrell.
Dunnam.	Thomason
Estes.	of Nacogdoches.
Florer.	Thompson
Johnson.	of Hunt.
Lacey.	Tillotson.
Laney.	Tilson.
Lee.	Tinner.
McCoy.	Trayler.
McDowra.	Upchurch.
McMillin.	Veatch.
Meador.	White.
Murrell.	Williford.
Neeley.	Wilson.
Neill.	Woods.
Osborne.	Yantis.

Present—Not Voting.

Carlock.

Absent.

Blalock.	Smith of Bastrop.
Cates.	Strayhorn.
Hill.	Thomas.
O'Banion.	

Absent—Excused.

Fly.	Schlesinger.
Holland.	Scholl.
Jones.	Sholars.
Martin.	Stewart.
McFarland.	Thomason
Miller of Austin.	of El Paso.
Pope.	Wahrmond.
Raiden.	

Reason for Vote.

I vote "nay," believing it to be a dangerous proposition and against good government, and it being a move to destroy the principles established by the lamented James Stephen Hogg, at one time a citizen of my county and precinct that I have the honor of representing.

LEE.

Mr. Carlock offered the following amendment to the bill:

Amend House bill No. 227 by adding at the end of line 28, page 5, the following: "If a pass be issued by any of the companies named in this act to any member of the Texas Legislature now or hereafter elected, then such company so issuing such pass shall issue like free transportation to all the other members of the Legislature, whether requested or not by such members."

The amendment was adopted.

Mr. Beard of Harris offered the following amendment to the bill:

Amend House bill No. 227, line 14, page 2, by adding after the word "carrier," the following: "Provided nothing in this act shall prohibit any steam railroad company from issuing any pass or free transportation to the widow of any employe who has died while in the service in said company."

The amendment was adopted.

Mr. Tillotson offered the following amendment to the bill:

Amend House bill No. 227 by striking out the enacting clause.

Signed—Tillotson, Bryan.

Mr. Miller of Dallas moved the previous question on the amendment and the engrossment of the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—46.

Beard of Milam.	Lacey.
Bertram.	Laney.
Blackmon.	Lee.
Bryan.	McDowra.
Burton of Rusk.	McMillin.
Butler.	Murrell.
Cadenhead.	Neeley.
Cope.	Neill.
Crudgington.	O'Brien.
Davis of Dallas.	Osborne.
Davis	Peddy.
of Van Zandt.	Peyton.
Dodd.	Reeves.
Dunham.	Robertson.
Johnson.	Rogers.

Sackett.
Sentell.
Seawright.
Smith of Hopkins.
Smith of Scurry.
Terrell.
Thompson
of Hunt.
Tillotson.

Tilson.
Tinner.
Traylor.
Veatch.
White.
Williford.
Wilson.
Woods.
Yantis.

Nays—69.

Bagby.	Lindemann.
Baker.	Lowe
Beard of Harris.	of McMullen.
Beasley.	Low
Beason.	of Washington.
Bedell.	McComb.
Bell.	Mendell.
Blackburn.	Metcalfe.
Blalock.	Miller of Dallas.
Bland.	Monday.
Bledsoe.	Moore.
Brown.	Morris.
Bryant.	Nichols.
Burton of Tarrant.	Nordhaus.
Canales.	Parks.
Carlock.	Pillow.
Clark.	Poage.
Cox.	Richards.
Davis of Grimes.	Roemer.
De Bogory.	Russell.
Denton.	Sallas.
Dudley.	Schlosshan.
Estes.	Spencer of Nolan.
Fairchild.	Spradley.
Fisher.	Swope.
Fitzpatrick.	Taylor.
Florer.	Thompson
Greenwood.	of Red River.
Haidusek.	Tschoepe.
Hardey.	Upchurch.
Harris.	Valentine.
Hartman.	Walker.
Hawkins.	Williams
Hudspeth.	of Brazoria.
Laas.	Williams
Lange.	of McLennan.
Lanier.	Woodul.

Present—Not Voting.

McCoy. O'Banion.

Absent.

Boner.	Strayhorn.
Cates.	Templeton.
Hill.	Thomas.
Meador.	Thomason
Smith of Bastrop.	of Nacogdoches.
Spencer of Wise.	

Absent—Excused.

Fly.	McFarland.
Holland.	Miller of Austin.
Jones.	Pope.
Martin.	Raiden.

Schlesinger.
Scholl.
Sholars.
Stewart.

Thomason
of El Paso.
Wahrmund.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

The bill was passed to engrossment by the following vote:

Yeas—66.

Bagby.	Lindemann.
Baker.	Lowe
Beard of Harris.	of McMullen.
Beasley.	Low
Beason.	of Washington.
Bedell.	McComb.
Bell.	Mendell.
Blackburn.	Metcalfe.
Bland.	Miller of Dallas.
Bledsoe.	Monday.
Boner.	Moore.
Brown.	Morris.
Bryant.	Nordhaus.
Burton of Tarrant.	Parks.
Canales.	Pillow.
Carlock.	Poage.
Clark.	Richards.
Cox.	Roemer.
Davis of Grimes.	Sallas.
De Bogory.	Schlosshan.
Denton.	Spencer of Nolan.
Dudley.	Spradley.
Fairchild.	Swope.
Fisher.	Taylor.
Fitzpatrick.	Templeton.
Florer.	Thompson
Greenwood.	of Red River.
Haidusek.	Tschoepe.
Hardey.	Valentine.
Harris.	Walker.
Hartman.	Williams
Hawkins.	of Brazoria.
Hudspeth.	Williams
Laas.	of McLennan.
Lange.	Woodul.
Lanier.	

Nays—55.

Beard of Milam.	Lacey.
Bertram.	Laney.
Blackmon.	Lee.
Blalock.	McDowra.
Bryan.	McMillin.
Burton of Rusk.	Meador.
Butler.	Murrell.
Cadenhead.	Neeley.
Cope.	Neill.
Crudgington.	Nichols.
Davis of Dallas.	O'Banion.
Davis	O'Brien.
of Van Zandt.	Osborne.
Dodd.	Peddy.
Dunnam.	Peyton.
Estes.	Reeves.
Johnson.	Robertson.

Rogers.	Tillotson.
Russell.	Tilson.
Sackett.	Tinner.
Sentell.	Trayler.
Seawright.	Upchurch.
Smith of Hopkins.	Veatch.
Smith of Scurry.	White.
Spencer of Wise.	Williford.
Terrell.	Wilson.
Thomason	Woods.
of Nacogdoches.	Yantis.
Thompson	
of Hunt.	

Absent.

Cates.	Smith of Bastrop.
Hill.	Strayhorn.
McCoy.	Thomas.

Absent—Excused.

Fly.	Schlesinger.
Holland.	Scholl.
Jones.	Sholars.
McFarland.	Stewart.
Martin.	Thomason
Miller of Austin.	of El Paso.
Pope.	Wahrmund.
Raiden.	

Reasons for Votes.

I vote "nay" because I believe it a species of graft.

TINNER.

I vote "nay" on House bill No. 227 as amended because it virtually makes the anti-pass law a farce, and besides, I believe there is no more effectual method of producing political corruption than the granting of free passes to the executive and legislative officers of the State.

DAVIS of Van Zandt.

Mr. Spradley moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 517 ON SECOND READING.

On motion of Mr. Davis of Dallas, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 517, A bill to be entitled "An Act to amend Article 1142 (1097) of the Code of Criminal Procedure of the State of Texas, relating to the allowance to sheriffs for the safekeeping, support and maintenance of prisoners confined in jail or under guard, and amount of charges to be allowed therefor, and repealing all laws and parts of

laws and provisions in laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and the House refused to pass the bill to engrossment.

Mr. Davis of Dallas moved to reconsider the vote by which the House refused to pass the bill to engrossment.

The motion to reconsider prevailed.

The Speaker laid the bill before the House on its passage to engrossment.

House bill No. 517 was then passed to engrossment.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 34, "An Act constituting the several district judges of counties of certain population a juvenile board of such county, and prescribing the powers and duties of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said district judges an additional salary, to be paid out of the general fund of such county."

H. B. No. 28, "An Act to amend Article 1164 of the Revised Civil Statutes of the State of Texas as amended by Chapter 102 of the Acts of the Regular Session of the Thirty-fourth Legislature, found at page 156 of the printed session acts, relating to the employment or use of the stock, means, assets and other property of corporations, and declaring for what purposes the same may be used; penalizing the officers or agents or employes of such corporations or other organizations who wrongfully use the moneys, means or assets contributed thereto, and declaring an emergency."

H. B. No. 597 "An Act to reorganize the Thirty-second, Thirty-ninth and Seventieth Judicial Districts so as to declare what counties compose the Thirty-second, Thirty-ninth and Seventieth Judicial Districts; to fix the time for holding court in the various counties of said districts; to make all process issued to serve before this act takes effect, including recognizances and bonds, returnable to the terms of court as herein fixed and continuing in office judges and district attorneys in each of said districts; to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 278, "An Act amending Articles 2440, 2441, 2442, 2443, 2444 and 2445, Chapter 2, Title 44, of the Revised

Civil Statutes of the State of Texas of 1911, providing for county depositories; providing that the amount of the bond of the county depository shall in no event be for less than the total amount of revenue of the county for the next preceding year; adding Article 2443a, providing, and requiring special additional bonds to cover any or all special funds, including the sale, or sales, of bonds belonging to the county, or a subdivision thereof; providing for the substitution of bonds under the provisions of this act for bonds now in existence, and declaring an emergency."

S. B. No. 203, "An Act to make an emergency appropriation to construct and equip a fireproof dormitory, complete the administration building, and to provide summer support for the College of Industrial Arts, and declaring an emergency."

S. B. No. 123, "An Act to make an emergency appropriation for the cost of construction of a fireproof dormitory; to supplement the present available appropriation for the erection of a power plant, and to provide for the maintenance, support and direction of the summer school at the Agricultural and Mechanical College of Texas for the fiscal year ending August 31, 1917 and declaring an emergency."

S. B. No. 71, "An Act creating and providing for the enforcement of liens for material, machinery or supplies furnished to, or for labor performed for, owners of lands, mines or quarries, or owners of leaseholds for oil, gas or water wells, for oil or gas pipe lines and rights of way, or for mining or quarrying purposes, and for materials, machinery, supplies or labor for the construction, maintenance, operation or repair of oil, gas, or water wells, or for oil or gas pipe lines, mines or quarries, and prohibiting the sale or removal of property subject to such liens without the consent of the lienholders, and providing a penalty therefor."

S. B. No. 133, "An Act making an appropriation to construct and complete necessary buildings for the new Texas School for the Blind, and to build necessary fences, walks and drives, and to beautify the grounds, and to furnish all necessary apparatus, equipment and furniture, and to pay the expenses of moving in order to have the said school ready for occupancy, and declaring an emergency."

S. B. No. 214, "An Act making emergency appropriation for the support and maintenance of West Texas Normal College to augment the money heretofore

appropriated for the regular term of 1917, and declaring an emergency."

S. B. No. 211, "An Act creating the Crockett Independent School District in Houston county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the city of Crockett of the control of its public free schools, and the title of all property now held and used for public school purposes; investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws; creating the trustees of said independent school district as a board of equalization thereof, and conferring upon them powers, and so forth, given by the general laws, and declaring an emergency."

S. B. No. 217, "An Act to amend Chapter 155 of the Acts of the Thirty-fourth Legislature; reorganizing the Seventy-fifth Judicial District of Texas; adding thereto the county of Tyler, and removing said county from the First Judicial District of Texas; fixing the time of holding court in the said Seventy-fifth Judicial District and the Ninth Judicial District; repealing by omitting from this act parts of Sections 1, 2, 3 and 4 of said acts so amended, and repealing entirely Sections 6, 7, 8 and 9 of said act so amended, and declaring an emergency."

S. B. No. 83, "An Act to amend Article 1307, Chapter 24, Title 25, Revised Civil Statutes of 1911, as amended by Chapter 152 of the General Laws passed by the Thirty-fourth Legislature, approved April 7, 1915, relating to corporations formed for the purpose of storing, transporting, buying and selling oil and gas and other products, and declaring an emergency."

S. B. No. 75, "An Act to validate titles to school land which has been purchased from the State on condition of settlement and residence in cases where purchaser made settlement thereon and filed his affidavit of settlement in the General Land Office but transferred the land before the expiration of one year from the date of award to another qualified purchaser; in cases where the purchaser settled on the land within the time required by law but failed to file in the General Land Office his affidavit of settlement within the time required by law; in cases where the purchaser failed to settle on the land within ninety days from the date of award but actually settled on the land and filed his affidavit of settlement in the General Land Office as required by law; and in cases where the purchaser

has been prevented from making settlement by being called into the militia service of the State or United States, and declaring an emergency."

S. B. No. 107, "An Act to restore and confer upon the county court of Hansford county the civil and criminal jurisdiction belonging to said court under the Constitution and general statutes of Texas; to define the jurisdiction of said court; to conform the jurisdiction of the district court of said county to said change; to fix the time of holding court, and to repeal all laws in conflict with this act, and declaring an emergency."

RECESS.

Mr. Blalock moved that the House recess to 2 o'clock p. m. today.

The motion prevailed, and the House, accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

HOUSE BILL NO. 62 ON SECOND READING.

On motion of Mr. Nordhaus, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 62, A bill to be entitled "An Act to define and regulate the practice of optometry; to create a board of examiners; to provide for examination of applicants and issuance of license and certificates of exemption; to prescribe the qualifications of applicants; to fix fees and require payment into general fund; to authorize employment of counsel; to provide for the registration of optometrists and the revocation of their license; to require license and certificate displayed; to prescribe manner of practice outside of principal office; to prohibit advertising as doctor; to exempt physicians and persons selling eyeglasses as merchandise; to fix penalties; to repeal all laws in conflict, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Nordhaus offered the following (committee) amendments to the bill:

Amend said bill by adding the following at the end of Section 7: "For each exemption certificate the fee shall be \$1.00."

Amend the bill by striking out the following words in Section 9: "And the employment of special counsel to assist in prosecuting violators of this act in important cases." Also by striking out the comma after the word "session" and inserting a period.

Amend said bill by striking out the following words in Section 15: "Or be imprisoned in the county jail for a term of not less than one month or more than six months, or by both such fine and imprisonment."

Amend said bill by striking out all of Section 16 and insert in lieu thereof the following:

"Section 16. That it shall be unlawful for any person engaged in the practice of optometry or the sale of eyeglasses to assume the title of 'doctor' or 'M. D.' or advertise himself as such who is not a regularly licensed physician under the Medical Practice Act of this State; and it shall also be unlawful for any person licensed under this act to prescribe glasses for the cure of any disease of the human body or to make any other application of glasses than that defined under Section 1 of this act, and any person violating all of any part of this section (16) shall be deemed guilty of a misdemeanor and on conviction fined not less than twenty-five dollars nor more than one hundred dollars, and each day of such violation shall constitute a separate offense."

The (committee) amendments were adopted.

Mr. Butler offered the following amendment to the bill:

Amend House bill No. 62 by striking out all of Section 6 after the word "effect," in line 39, page 2, of the bill.

The amendment was adopted.

Mr. O'Brien offered the following amendment to the bill:

Amend Section 1, lines 22, 23 and 24, page 1, by striking out all after the word "be" in line 22 and all of line 23 and the first word, "and," in line 24, and by striking out the word "thereof" in line 24 and insert the words in lieu thereof "of the eyes."

The amendment was adopted.

Mr. Tillotson moved to postpone further consideration of the bill indefinitely.

Yeas and nays were demanded, and the motion to postpone indefinitely prevailed by the following vote:

Yeas—67.

Bagby.	Nichols.
Baker.	O'Banion.
Bertram.	Peddy.
Blackburn.	Peyton.
Blalock.	Poage.
Brown.	Richards.
Burton of Rusk.	Roemer.
Clark.	Rogers.
Davis of Grimes.	Sackett.
Davis	Sallas.
of Van Zandt.	Sentell.
De Bogory.	Seawright.
Dodd.	Spencer of Wise.
Dudley.	Spradley.
Dunnam.	Strayhorn.
Fairchild.	Taylor.
Fitzpatrick.	Terrell.
Fly.	Thompson
Greenwood.	of Hunt.
Haidusek.	Thompson
Harris.	of Red River.
Hartman.	Tillotson.
Hill.	Tilson.
Hudspeth.	Tinner.
Johnson.	Traylor.
Laas.	Upchurch.
Lacey.	Walker.
Lanier.	White.
Lee.	Williams
Lowe	of Brazoria.
of McMullen.	Williams
McComb.	of McLennan.
McMillin.	Williford.
Monday.	Wilson.
Murrell.	Woodul.
Neeley.	Yantis.
Neill.	

Nays—49.

Beard of Harris.	Lange.
Beard of Milam.	Lindemann.
Beasley.	Low
Beason.	of Washington.
Bedell.	McDowra.
Blackmon.	Mendell.
Bland.	Metcalf.
Bryan.	Miller of Austin.
Burton of Tarrant.	Miller of Dallas.
Butler.	Morris.
Cadenhead.	Nordhaus.
Canales.	O'Brien.
Carlock.	Osborne.
Cates.	Parks.
Cope.	Pillow.
Cox.	Reeves.
Crudgington.	Robertson.
Davis of Dallas.	Schlosshan.
Denton.	Smith of Hopkins.
Estes.	Smith of Scurry.
Fisher.	Spencer of Nolan.
Florer.	Swope.
Hardey.	Templeton.
Hawkins.	Tschoepe.
Laney.	Valentine.

Absent.

Bell.	Smith of Bastrop.
Bledsoe.	Thomas.
Boner.	Thomason
Bryant.	of Nacogdoches.
McCoy.	Veatch.
Meador.	Wahrmund.
Moore.	Woods.
Russell.	

Absent—Excused.

Holland.	Schlesinger.
Jones.	Scholl.
McFarland.	Sholars.
Martin.	Stewart.
Pope.	Thomason
Raiden.	of El Paso.

Mr. Neeley moved to reconsider the vote by which the bill was postponed indefinitely and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 12, 1917.
Hon. F. O. Fuller, Speaker of the House
of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

S. B. No. 149, A bill to be entitled "An Act to amend Chapter 177 of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature of Texas relating to county libraries."

S. B. No. 153, A bill to be entitled "An Act creating the Pleasanton Independent School District, covering the same territory heretofore known as Common School District No. 1, in Atascosa county, Texas, and defining its boundaries; and to provide for the creating of a board of trustees thereof and authorizing the board of trustees to levy, assess and collect special taxes; and conferring upon the board of trustees plenary powers; and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same; and to levy a tax therefor; and to pay current expenses for the maintenance and support of said schools; providing for a board of equalization, and further prescribing the duty and authority of said board of equalization; and further prescribing the duty and authority of the board of trustees; declaring valid an issue of bonds heretofore made; declaring valid all maintenance taxes heretofore voted; and re-

pealing all laws in conflict herewith in so far as they conflict with this act, and declaring an emergency."

S. B. No. 165, A bill to be entitled "An Act to amend Chapter 8, Acts of the Regular Session of the Twenty-eighth Legislature, the same being entitled 'An Act to aid the city of Galveston in elevating and raising said city so as to protect it from calamitous overflows by donating and granting to it the State ad valorem taxes and a part of the occupation and poll taxes collected on property and from persons in Galveston county for a period of fifteen years, and to provide a penalty for their misapplication,' by extending the provisions of said act for a period of ten years from September 1, 1918."

S. B. No. 322, A bill to be entitled "An Act creating the Tilden Independent School District in McMullen county, Texas, and defining the boundaries; and to provide for the creating of a board of trustees thereof, and authorizing the board of trustees to levy, assess and collect special taxes, and conferring upon the board of trustees plenary powers and providing authority to issue bonds for the purpose of purchasing school sites and erecting, furnishing and equipping school buildings within the same, and to levy a tax therefor, and to pay current expense for the maintenance and support of said schools; providing for a board of equalization and prescribing the duty and authority of said board; repealing all laws in conflict with this act, and declaring an emergency."

S. B. No. 63, A bill to be entitled "An Act prohibiting the employment of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations, etc."

The Senate concurs in the House amendments to Senate bill No. 152 by vote of 21 yeas, 0 nays.

Respectfully,

JOHN D. McCALL,
Secretary of the Senate.

CONFERENCE COMMITTEE ON SENATE BILL NO. 37.

Mr. Canales called up from the Speaker's table, for consideration at this time, the request of the Senate for a Free Conference Committee on Senate bill No. 37.

The Speaker laid the request of the Senate before the House.

Question—Shall the request of the Senate be granted?

Mr. Canales moved that the request be granted.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Free Conference Committee on the part of the House:

Messrs. Hardey, McFarland, Bryant, Blackburn and Canales.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

S. B. No. 153, to Committee on Education.

S. B. No. 149, to Committee on State Affairs.

S. B. No. 165, to Committee on Revenue and Taxation.

S. B. No. 322, to Committee on Education.

S. B. No. 63, to Committee on Labor.

ADDRESS BY HON. JOHN H. KIRBY.

Mr. Carlock offered the following resolution:

Resolved, That the Hon. John H. Kirby, a distinguished ex-member of this House, and now present with us, be requested to address the House.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker appointed Mr. Miller of Dallas and Mr. Dudley to escort Mr. Kirby to the Speaker's stand.

The committee having performed its duty, the Speaker presented Mr. Kirby to the House.

Mr. Kirby then addressed the House.

HOUSE BILL NO. 145 ON SECOND READING.

On motion of Mr. Florer, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 145, A bill to be entitled "An Act to regulate plumbing, plumbing ventilation and house drainage, and to that end creating the office of State Inspector of Plumbing, with power to appoint deputy inspectors of plumbing, defining their powers and duties, under the authority of the State Board of Health, fixing their compensation, and giving inspectors of plumbing the powers

of peace officers; establishing local boards of plumbing examiners, fixing the fees for examination of applicants, and providing for the issuance and revocation of licenses, their renewal, and for the registration of apprentices; the bonding of master and employing plumbers; requiring municipalities to pass ordinances covering plumbing installation; making an appropriation, and providing a special fund out of which the State shall be reimbursed; and providing penalties for the violation of this act, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

Mr. Parks moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

Question first recurring on the motion to table, it was lost.

Question then recurring on the motion to reconsider, it prevailed.

The Speaker laid House bill No. 145 before the House, on its passage to engrossment.

Mr. Florer offered the following amendment to the bill:

Amend the word "covering" in line 17 of the caption to read "governing."

The amendment was lost.

Mr. Florer offered the following amendment to the bill:

Amend Section 11, line 13, to read "any person, firm or corporation."

The amendment was lost.

Mr. Florer offered the following amendment to the bill:

Amend Section 1, line 40, by adding after the word "system" on page 2, line 1, the words "water supply under the ground sewer, cesspools, or any manner of sewer disposal."

The amendment was lost.

Mr. Florer offered the following amendment to the bill:

Amend all sections where the word "plumbing" occurs so as to read "sanitary plumbing."

The amendment was lost.

Mr. Florer offered the following amendment to the bill:

Amend Section 12, line 22, after the word "person" insert the words "except outside the corporate limits of cities, towns or villages having a system of sewer disposal, water supply or cesspools."

The amendment was lost.

Mr. Crudgington offered the following amendment to the bill:

Amend the bill by striking out all that part of Section 8 after the word "State" in line 9, on page 3, and adding the following: "This act shall not apply to any city operating under special charter or any city which has adopted a charter under what is known as the home rule Constitution and statute."

The amendment was lost.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

The House refused to pass the bill to engrossment by the following vote:

Yeas—38.

Beard of Harris.	O'Banion.
Beason.	O'Brien.
Bedell.	Parks.
Blalock.	Pillow.
Burton of Tarrant.	Reeves.
Cope.	Robertson.
Davis of Dallas.	Sackett.
Davis	Spradley.
of Van Zandt.	Taylor.
Denton.	Templeton.
Fisher.	Thomason
Fitzpatrick.	of Nacogdoches.
Florer.	Thompson
Hill.	of Red River.
Laney.	Valentine.
Lange.	Walker.
McMillin.	Williams
Mendell.	of McLennan.
Miller of Dallas.	Woods.
Monday.	Woodul.
Nordhaus.	Yantis.

Nays—73.

Bagby.	Hawkins.
Baker.	Hudspeth.
Beard of Milam.	Johnson.
Beasley.	Laas.
Bertram.	Lacey.
Blackmon.	Lanier.
Bland.	Lee.
Brown.	Lindemann.
Bryan.	Lowe
Burton of Rusk.	of McMullen.
Butler.	Low
Cadenhead.	of Washington.
Canales.	McComb.
Cates.	McCoy.
Clark.	McDowra.
Cox.	Miller of Austin.
Crudgington.	Moore.
Dodd.	Morris.
Dudley.	Murrell.
Dunnam.	Neeley.
Estes.	Neill.
Fairchild.	Nichols.
Fly.	Osborne.
Greenwood.	Peddy.
Haidusek.	Peyton.
Hardey.	Poage.
Hartman.	Richards.

Rogers.	Tilson.
Russell.	Tinner.
Sallas.	Trayler.
Sentell.	Tschoepe.
Schlosshan.	Upchurch.
Seawright.	Veatch.
Smith of Hopkins.	White.
Spencer of Nolan.	Williams
Spencer of Wise.	of Brazoria.
Terrell.	Williford.
Thompson	Wilson.
of Hunt.	

Absent.

Bell.	Meador.
Blackburn.	Metcalfe.
Bledsoe.	Roemer.
Boner.	Smith of Bastrop.
Bryant.	Smith of Scurry.
Carlock.	Strayhorn.
Davis of Grimes.	Thomas.
De Bogory.	Tillotson.

Absent—Excused.

Holland.	Scholl.
Jones.	Sholars.
McFarland.	Stewart.
Martin.	Thomason
Pope.	of El Paso.
Raiden.	Wahrmund.
Schlesinger.	

Paired.

Mr. Swope (present), who would vote "yea," with Mr. Harris (absent), who would vote "nay."

Reason for Vote.

Because I believe that there were too many appointees and that through this means too much power is given those having the appointive privilege, I promised my constituency to oppose the creation of such offices, therefore in obedience to such belief and to such promise I vote "nay" on House bill 145; the above being my primary reason for so voting.

SENTELL.

Mr. Bagby moved to reconsider the vote by which the House refused to pass the bill to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE JOINT RESOLUTION NO. 19 ON SECOND READING.

On motion of Mr. Templeton, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. J. R. No. 19, Proposing submitting

a certain proposed amendment to Section 51, Article 3, of the Constitution of the State of Texas, giving power to the Legislature of the State to grant pensions to Confederate soldiers and their widows who came to Texas prior to January 1, 1912, and prescribe the form of ballot authorizing and directing the Governor to issue proclamation for said election, and providing that the election be held on the first Tuesday after the first Monday in November, 1917; directing the Secretary of State to publish copies of the proposed amendment in pamphlet form, to make publications required by the Constitution, and making an appropriation therefor, and also providing if the Governor should fail to issue the necessary proclamation, that it shall be the duty of the election officers in the several polling places throughout the State to open the polls and conduct the election as prescribed by law for holding elections for the election of State officers, and to make the returns thereof, as required by the Constitution and the laws of this State.

The Speaker laid the resolution before the House, and it was read second time.

Mr. Templeton offered the following amendment to the resolution:

Amend House Joint Resolution No. 19 by striking out lines 29 to 40, page 1, and lines 1 to 20, page 2, and substituting the following:

"Section 51. Tax Levy Authorized for Confederate Soldiers and Sailors and Their Widows.—The Legislature shall have no power to make any grant or authorize the making of any grant of public money to any individual, association of individuals, municipal or other corporations whatsoever; provided, however, the Legislature may grant aid to indigent and disabled Confederate soldiers and sailors who originally enlisted in the State of Texas and served as Confederate soldiers and sailors in the war between the States, during the period of 1861 to 1865, and who are now bona fide residents of the State of Texas, and have been such residents since January 1, 1910, and their widows in indigent circumstances, who are bona fide residents of the State of Texas and who were married to such soldiers and sailors anterior to January 1, 1900; to indigent and disabled soldiers, who under special law of the State of Texas, during the war between the States, served for a period of at least six months in organizations

for the protection of the frontier against Indian raids or Mexican marauders, and to indigent and disabled soldiers of the militia of the State of Texas who were in active service for a period of at least six months during the war between the States; to the widows of such soldiers who are in indigent circumstances and who were married to such soldiers prior to January 1, 1900; provided, that the word 'widow' in the preceding lines of this section shall not apply to women born since 1861, and also to grant aid for the establishment and maintenance of a home for said soldiers and sailors, their wives and widows, and women who aided the Confederacy, under such regulations and limitations that may be provided by law; provided, the Legislature may provide for husband and wife to remain together in the Home.

"The Legislature shall have the power to levy and collect, in addition to all other taxes heretofore permitted by the Constitution of the State of Texas, a State ad valorem on property at a rate sufficient to provide an annual pension of not less than one hundred and twenty dollars (\$120), to be paid in quarterly payments for the payment of pensions to those named in this section for service in the Confederate army and navies, frontier organizations and the militia of the State of Texas, and for the widows of such soldiers serving in said armies, navies, organizations or militia as mentioned in this article."

(Mr. Spencer of Wise in the chair.)

Mr. Williford offered the following amendment to the amendment:

Amend the amendment by striking out the figures "1861" where they occur, and substituting therefor the figures "1871."

The amendment to the amendment was adopted.

The amendment as amended was then adopted.

Mr. Beason offered the following amendment to the resolution:

Amend the printed resolution, line 33, page 1, by inserting after the word "whatsoever" the words "except in cases of great public calamity."

The amendment was adopted.

Mr. Osborne offered the following amendment to the resolution:

Amend caption, line 14, by striking out "1917" and inserting "1918," and amend Section 2, line 24, by striking out "1917" and inserting "1918."

The amendment was adopted.

Mr. Beason offered the following amendment to the resolution:

Amend the caption of the resolution, line 11, page 1, of the printed resolution, by inserting after the word "1912" the words, "providing for the granting of aid in cases of great public calamity."

The amendment was adopted.

Mr. Blalock offered the following amendment to the resolution:

Amend the amendment by striking out figures "1910" and inserting "1905," line 37, page 1, of original resolution.

The amendment was lost.

Mr. Pillow moved the previous question on the engrossment of the resolution, and the main question was ordered.

House Joint Resolution No. 19 was then passed to engrossment.

(Speaker in the chair.)

HOUSE BILL NO. 389 ON SECOND READING.

On motion of Mr. Spencer of Wise, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 389, A bill to be entitled "An Act to amend Article 1210, Chapter 1, Title 17, of the Penal Code of Texas, relating to the offense 'arson.'"

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

HOUSE BILL NO. 551 ON SECOND READING.

On motion of Mr. Hardey, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 551, A bill to be entitled "An Act to amend Chapter 3, Title 124, of the Revised Civil Statutes of 1911, so as to take the counties of Wharton, Fort Bend, Matagorda and Brazoria from the counties exempted by Article 7184 of said act, and place said counties under the provisions of said Title 124, Chapter 3."

The Speaker laid the bill before the House, and it was read second time.

Mr. O'Brien offered the following amendment to the bill:

Amend by striking out "Jefferson."

The amendment was adopted.

Mr. Thompson of Red River offered the following amendment to the bill:

Amend House bill No. 551 by exempt-

ing Red River county from the operation of this bill.

The amendment was adopted.

House bill No. 551 was then passed to engrossment.

HOUSE BILL NO. 268 ON SECOND READING.

On motion of Mr. McDowra, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 268, A bill to be entitled "An Act to aid the city of Paris and Lamar county in the re-establishment and rebuilding permanent public improvements by donating and granting to them the State ad valorem and a part of the poll taxes and occupation taxes collected on property and from persons in said county of Lamar for a period of five years, and to provide a penalty for their misapplication."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 173 ON SECOND READING.

On motion of Mr. Bledsøe, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 173, A bill to be entitled "An Act declaring it to be unlawful for any railway company, or receiver thereof, or any other common carrier, to confiscate or otherwise convert to its or their own use any article of freight received by it, or them, for transportation and delivery; providing penalties therefor in favor of the State of Texas and in favor of the owner or consignee of such article; providing that the terms of this act are cumulative of all other laws upon the subject, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 419 ON SECOND READING.

On motion of Mr. Terrell, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 419, A bill to be entitled "An Act to establish standard contain-

ers and standard grades and packs for fruits and vegetables grown in this State for the markets; to prescribe dimensions and cubical contents of such containers; to require the manufacturers of such containers to conform to the standards herein prescribed; to define the different grades and packs as applied to different kinds of fruits and vegetables; to authorize the Commissioner of Agriculture of this State to promulgate and publish said standard for the information of the public, and promulgate standards of containers, grades and packs, in conformity with those hereafter established by the Secretary of Agriculture of the United States, and to promulgate such other standards of containers, grades and packs as in his judgment are expedient and to the best interests of the fruit and truck growers of the State; providing for supervision of the grading and packing of fruits and vegetables through State inspectors to be appointed by the Commissioner of Agriculture; empowering the Commissioner of Agriculture to enforce the provisions of this act; prescribing penalties for its violation, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Terrell offered the following amendments to the bill:

(1)

Amend Section 2, page 2, line 37, by adding after the word "shipments" in line 37, the following: "Each and every package of fruits and vegetables offered for sale or shipment shall have plainly stamped on it the grade of such fruits or vegetables and the name and post-office address of the person shipping the same; provided that this shall apply only to shipments of such fruits and vegetables as have grades established by law."

(2)

Amend page 3, line 29, by striking out the word and figure "eight" and insert in lieu thereof the word and figure "nine."

(3)

Amend Section 5, page 7, line 38, by adding after the word "agents," line 38, the following: "Where two or more shippers' agents are operating at the same shipping point and one of them requests a State inspector and such inspector is appointed by the Commissioner of Agriculture, each shipping agency at said shipping point shall be required to

come under State inspection and each shall pay his pro rata share of the expense of inspection."

(4)

Amend Section 5, page 8, line 1, by striking out the words "or shipment," in line 1, also by striking out all of Section 5, page 8, after the word "inspection," in line 6.

(5)

Amend House bill No. 419, page 8, by inserting after the word "made," in line 29, a comma and the following words: "as well as in the county where such container or crate was made."

The amendments were severally adopted.

Mr. Bertram offered the following amendment to the bill:

Amend by striking out all of Section 8 of the bill.

(Mr. Cope in the chair.)

On motion of Mr. Terrell, the amendment was tabled.

Mr. Fairchild moved the previous question on engrossment of the bill, and the main question was ordered.

House bill No. 419 was then passed to engrossment.

Mr. Terrell moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 598 ON SECOND READING.

On motion of Mr. Clark, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment.

H. B. No. 598, A bill to be entitled "An Act to establish a branch of the Agricultural and Mechanical College of Texas at Stephenville, in Erath county, Texas, to be known as the John Tarleton Agricultural College; providing for the government and control of said institution, providing for the acceptance of donations of lands, buildings and money offered by the citizens of Stephenville and Erath county; providing for a students' loan fund, and defining the leading objects and prescribing generally the nature and scope of instruction to be given in said college, and conferring upon the board of directors of said college the right of eminent domain, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

Mr. Clark moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 352 ON SECOND READING.

On motion of Mr. Laney, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 352, A bill to be entitled "An Act to further regulate the organization, supervision and control of State banks and banks and trust companies incorporated under the general banking laws of the State of Texas; providing that amendments to charters of such corporations shall be filed in the office of the Commissioner of Insurance and Banking, and fixing fees for such service; providing an additional method for the qualification of directors of such corporations by requiring such directors to take an oath defined therein, declaring it shall not be necessary to amend the charter of a banking corporation in order to increase or decrease its number of directors, and providing the method for such increase or decrease; making it an offense for any officer, director or employe of any State bank or banking corporation to demand or receive any consideration or commission on account of any loan or extension of credit made by such corporation; defining such an offense and describing the punishment therefor; amending Article 463 of the Revised Statutes of Texas, 1911, and prescribing certain duties of the Commissioner of Insurance and Banking in publishing the notice and advertisement calling on persons who have claims against a bank which has been placed in his hands to present the same within ninety days, and defining and describing the duties of the Commissioner with reference to such matters; fixing the salaries of the bank examiners and regulating their expenses; authorizing the Commissioner to classify the examiners on his force in accordance with years of service; authorizing the Commissioner of Insurance and Banking to designate any one of his examiners as general liquidating agent for the purpose of liquidating banks in the process of liquidation in

this State; prescribing the duties of such general liquidating agent and the Commissioner with reference thereto; fixing an additional salary of five hundred dollars per year for such general liquidating agent, and authorizing the Commissioner to assess the salary of the general liquidating agent proportionately against the banks being liquidated by him; amending Revised Statutes of Texas, 1911, Article 574, so as to require all officers and employes of such banks who are active in the discharge of their duties or draw salaries to give bond; defining the terms of the bond; requiring same to be filed with the Commissioner of Insurance and Banking, and regulating the form and provisions of said bond; amending Section 8, Chapter 3, of the General Laws passed by the Third Called Session of the Thirty-third Legislature, fixing the amount of indebtedness which any one individual, corporation, company or firm may owe to any bank incorporated under the general banking laws of this State; providing exceptions to the general provisions of the act; repealing all laws in conflict with this act, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Laney offered the following amendment to the bill:

Amend House bill No. 352 by adding thereto immediately following Section 7, a new section to be known as Section 7½, and to read as follows:

"Section 7½. Amend Title 14, Chapter 4, of the Revised Civil Statutes of this State by amending Article 435 thereof so that hereafter said article shall read as follows, to wit:

"Article 435. There shall be kept on hand at all times not less than fifteen per cent of the whole amount of such deposits in such savings department; one-third of which shall be kept in actual cash in such savings department, and two-thirds of which may be kept with reserve agents designated and approved for such purpose by the Commissioner of Insurance and Banking."

The amendment was adopted.

Mr. Laney offered the following amendment to the bill:

Amend caption of House bill No. 352 by adding thereto immediately following the word "State," in line 8, page 2, the following:

"Amending Article 435, Title 14, Chapter 4. Revised Civil Statutes of Texas, by requiring one-third of the fifteen per

cent of such deposits to be kept in actual cash in such savings department, and two-thirds to be kept with reserve agents designated and approved by the Commissioner of Insurance and Banking."

The amendment was adopted.

House bill No. 352 was then passed to engrossment.

Mr. Laney moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 450 ON SECOND READING.

On motion of Mr. Cox, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 450, A bill to be entitled "An Act to amend subdivision 2, Article 7355, Chapter 1, Title 126, of the Revised Statutes of the State of Texas for 1911, levying an occupation tax upon traveling venders of patent medicines."

The Speaker laid the bill before the House, and it was read second time.

(Speaker in the chair.)

Question recurring on the engrossment of the bill, yeas and nays were demanded.

The bill was passed to engrossment by the following vote:

Yeas—34.

Bagby.	Dudley.
Baker.	Estes.
Beard of Harris.	Fairchild.
Bell.	Fisher.
Bertram.	Fitzpatrick.
Blackburn.	Greenwood.
Blackmon.	Haidusek.
Bland.	Hardey.
Bledsoe.	Hartman.
Boner.	Hudspeth.
Brown.	Laas.
Burton of Rusk.	Lange.
Burton of Tarrant.	Lanier.
Butler.	Lowe
Cadenhead.	of McMullen.
Carlock.	Low
Cates.	of Washington.
Clark.	McCoy.
Cope.	McDowra.
Cox.	McMillin.
Crudgington.	Meador.
Davis	Mendell.
of Van Zandt.	Metcalfe.
De Bogory.	Miller of Dallas.
Denton.	Morris.
Dodd.	Murrell.

Neeley.	Thompson
Neill.	of Hunt.
Nichols.	Thompson
O'Brien.	of Red River.
Osborne.	Tilson.
Peddy.	Tinner.
Pillow.	Trayler.
Poage.	Tschoepe.
Reeves.	Valentine.
Richards.	Veatch.
Robertson.	White.
Russell.	Williams
Sackett.	of Brazoria.
Smith of Hopkins.	Williams
Spencer of Wise.	of McLennan.
Spradley.	Williford.
Swope.	Woods.
Taylor.	Woodul.
Terrell.	Yantis.
Thomason	
of Nacogdoches.	

Nays—26.

Beard of Milam.	Lee.
Beasley.	McComb.
Bedell.	Monday.
Blalock.	O'Banion.
Bryan.	Parks.
Canales.	Peyton.
Davis of Dallas.	Seawright.
Dunnam.	Smith of Scurry.
Florer.	Templeton.
Fly.	Tillotson.
Hawkins.	Upchurch.
Lacey.	Walker.
Laney.	Wilson.

Absent.

Beason.	Roemer.
Bryant.	Rogers.
Davis of Grimes.	Sallas.
Harris.	Sentell.
Hill.	Schlosshan.
Johnson.	Smith of Bastrop.
Lindemann.	Spencer of Nolan.
Miller of Austin.	Strayhorn.
Moore.	Thomas.
Nordhaus.	

Absent—Excused.

Holland.	Scholl.
Jones.	Sholars.
McFarland.	Stewart.
Martin.	Thomason
Pope.	of El Paso.
Raiden.	Wahrmund.
Schlesinger.	

Mr. Cox moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

RECESS.

On motion of Mr. Beard of Harris and Mr. Peyton, the House, at 6 o'clock

p. m., took recess until 10 o'clock a. m. tomorrow.

APPENDIX.

REPORT OF COMMITTEE ON COUNTIES.

Committee Room,
Austin, Texas, February 10, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Counties, to whom was referred Senate bill No. 299, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Metcalfe has been appointed to make a full report thereon.

HARDEY, Chairman.

REPORT OF COMMITTEE ON FEDERAL RELATIONS.

Committee Room,
Austin, Texas, February 10, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Federal Relations, to whom was referred House Concurrent Resolution No. 12, have had the same under consideration and I am instructed to report it back to the House without recommendations.

DUDLEY, Vice-Chairman.

REPORT OF COMMITTEE ON PRIVILEGES, SUFFRAGE AND ELECTIONS.

Committee Room,
Austin, Texas, February 9, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 442, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

CLARK, Chairman.

REPORT OF COMMITTEE ON PUBLIC HEALTH.

Committee Room,
Austin, Texas, February 10, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Public

Health, to whom was referred House bill No. 615, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Mendell has been appointed to make a full report thereon.

DAVIS of Grimes, Chairman.

REPORT OF COMMITTEE ON REFORMS IN CRIMINAL PROCEDURE.

Committee Room,
Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Reforms in Criminal Procedure, to whom was referred House bill No. 391, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Swope has been appointed to make a full report thereon.

SPENCER of Wise, Chairman.

REPORT OF COMMITTEE ON REVENUE AND TAXATION.

Committee Room,
Austin, Texas, February 8, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Revenue and Taxation, to whom was referred House bill No. 372, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. Hawkins has been appointed to make a full report thereon.

CRUDGINGTON, Vice-Chairman.

REPORTS OF COMMITTEE ON STATE AFFAIRS.

Committee Room,
Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Affairs, to whom was referred House bill No. 558, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

WOODUL, Chairman.

Committee Room,
Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on State Af-

fairs, to whom was referred House bill No. 635, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do not pass.

WOODUL, Chairman.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 48, A bill to be entitled "An Act for the protection of stock raisers, farmers and horticulturists; providing for the destruction of wolves and other wild animals; to make an appropriation therefor; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 519, A bill to be entitled "An Act to apply to and govern all insurance corporations incorporated under the laws of this State; making it unlawful for an insurance corporation so created to make a voluntary assignment, and prescribing the duty of such company when it finds itself unable to meet its obligations; making void any voluntary general assignment by such company or any acts relative thereto, and making void all transfer of assets after an act of insolvency, or in contemplation thereof, with a view of preferring one creditor over another; declaring that no attachment, injunction or execution shall issue against such an insurance company or its property before final judgment; prescribing the duties of the Commissioner of Insurance and Banking when the capital stock or the reserves of an insurance company become impaired, or when such company is conducting its business in an unlawful, unsafe or unauthorized manner, or has made wrong entries or misapplied funds; defining the duty of the Commissioner in the event such company fails to observe the lawful orders issued by him in such cases; stating when and under what circumstances the Commissioner of Insurance and Banking shall report the affairs of an insurance corporation to the Attorney General for action, prescribing certain duties for the Attorney General and the district courts and district judges of the State; prescribing a complete scheme of liquidation by a receiver of insolvent insurance corporations and also by the Commissioner of

Insurance and Banking; defining the duties of the Commissioner with reference to such liquidation, his authority and the method of liquidation in detail; imposing upon the Commissioner authority to call stockholders' meetings of insurance companies for the election of a new board of directors under certain conditions; defining how and when and under what circumstances and conditions the Commissioner of Insurance may take charge of the affairs of an insurance corporation and liquidate the same, and in what manner such corporation may place its affairs in the hands of the Commissioner; authorizing the Commissioner to appoint special agents to assist him in the liquidation of such insurance companies, etc."

H. B. No. 487, A bill to be entitled "An Act to create a more efficient road system for Gillespie county, Texas, and making the commissioners of said county ex-officio road commissioners in their respective precincts, and prescribing their duties as such, and providing for the compensation of road commissioners, etc., and declaring an emergency."

H. B. No. 259, A bill to be entitled "An Act to create a more efficient road system for McCulloch county, Texas; defining the powers and duties of the commissioners court of said county in adopting such system, and providing for the condemnation of lands for opening, changing, widening, ditching, making embankments or fills or draining water away from the public roads in said county; providing that the commissioners of said county be ex-officio road commissioners, defining their powers and duties and providing for their compensation; providing that road hands may be assigned to such roads as may be deemed best by the road commissioners of the precinct or the commissioners court of said county; providing for road overseers to call out hands on twenty-four hours notice, and providing for penalty for failure to call out hands when notified to do so; for the payment of overseers working overtime; for the release of road hands by the payment of money; creating a penal offense for the obstruction of ditches or drainways and diverting surface water or streams into public roads of said county, and providing a penalty; making this law cumulative of the general laws, and declaring an emergency."

H. B. No. 539, A bill to be entitled "An Act creating and incorporating the Lipscomb Independent School District in Lipscomb county, Texas, etc., and declaring an emergency."

H. B. No. 559, A bill to be entitled "An Act creating the Barnhart Independent School District in Irion county, Texas, etc., and declaring an emergency."

And find them correctly engrossed.

DENTON, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 507, "An Act to reorganize the Thirty-second, Thirty-ninth and Seventieth Judicial Districts so as to declare what counties compose the Thirty-second, Thirty-ninth and Seventieth Judicial Districts; to fix the time for holding court in the various counties of said districts; to make all process issued to serve before this act takes effect, including recognizances and bonds returnable to the terms of court as herein fixed and continuing in office judges and district attorneys in each of said districts; to repeal all laws in conflict herewith, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 11:40 o'clock a. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room,

Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 28, "An Act to amend Article 1164 of the Revised Civil Statutes of the State of Texas as amended by Chapter 102 of the Acts of the Regular Session of the Thirty-fourth Legislature, found at page 156 of the printed Session Acts, relating to the employment or use of the stock, means, assets and other property of corporations, and declaring for what purposes the same may be used; penalizing the officers or agents or employees of such corporations or other organizations who wrongfully use the moneys, means or assets contributed thereto, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 11:40 o'clock a. m., presented same to the Governor for his approval.

McCOY, Chairman.

Committee Room,

Austin, Texas, February 12, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 34, "An Act constituting the several district judges of counties of certain population a juvenile board of such county, and prescribing the powers and duties of such board, including the appointment by it of probation officers, and providing for the payment of compensation of such officers, and allowing the said district judges an additional salary to be paid out of the general fund of such county, and declaring an emergency,"

Have carefully compared same, and find it correctly enrolled, and have this day, at 11:40 o'clock a. m., presented same to the Governor for his approval.

McCOY, Chairman.

TWENTY-SIXTH DAY.

(Continued.)

(Tuesday, February 13, 1917.)

The House met at 10 o'clock a. m. and was called to order by the Speaker.

HOUSE BILL NO. 200 ON SECOND READING.

On motion of Mr. Holland, by unanimous consent, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 200, A bill to be entitled "An Act to amend Article 2308, Chapter 5, Title 41, Revised Civil Statutes of Texas, 1911, relating to venue of suits in justice courts, by adding thereto at the end of Subdivision 4 thereof, 'Providing that in all suits to recover for labor performed or any kind of personal service rendered may, at the option of plaintiff, be brought and maintained where such labor is performed or personal service rendered,' and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

(Mr. Mendell in the chair.)

Mr. Woods offered the following amendment to the bill:

Amend House bill No. 200 by adding at the close of Section 1 the following: "In every suit commenced in a county or precinct other than the county or pre-